

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of Lawrence A. Gilbertson

Art Unit: Unknown

Serial No.: Unknown

Examiner: Unknown

Filed: April 1, 2004

Docket No. 38-15(51091)B

For: : Homologous Recombination-Mediated Transgene Deletion in Plant Cells

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Patent Application

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In compliance with the duty of disclosure under 37 C.F.R. 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached form PTO/SB/08B be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. 1.98(a)(2) are enclosed for the convenience of the Examiner. These documents are cited in the Background of the Invention discussion section.

The present Information Disclosure Statement is being filed prior to the receipt of a first Official Action reflecting examination on the merits, and hence is timely filed in accordance with 37 C.F.R. 1.97(b). No fees are due in connection with the filing of this Information Disclosure Statement.

Respectfully submitted,



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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	Unknown
Filing Date	April 1, 2004
First Named Inventor	Gilbertson, Lawrence
Art Unit	Unknown
Examiner Name	Unknown
Attorney Docket Number	38-15(51091)B

Sheet 1 of 1

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	1	GAL et al., Genomic homologous recombination in planta, EMBO Journal, 1991, 10:1571-1578.	
	2	JELESKO et al., Rare germinal unequal crossing-over leading to recombinant gene formation and gene duplication in Arabidopsis thaliana, PNAS, 1999, 96:10302-10307.	
	3	PETERHANS et al., Intrachromosomal recombination in plants, EMBO J., 1990, 9:3437-3445.	
	4.	SWOBODA et al., Somatic homologous recombination in planta: The recombination frequency is dependent on the allelic state of recombining. . Mol. Gen. Genet., 1993, 237:33-40.	
	5	SWOBODA et al., Intrachromosomal homologous recombination in whole plants, EMBO Journal, 1994, 13:484-489.	
	6	ZUBKO et al., Intrachromosomal recombination between attP regions as a tool to remove selectable marker genes from tobacco transgenes, Nature Biotechnology, 2000, 18:442-445.	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO:** Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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